BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
PACIFIC EXPLORER, LLC ) Docket No. 2007-0302
)
For a Motor Carrier Certificate or )
Permit. )

ORDER NO. 24150

Filed __________, 2008
At __________ o’clock __________ P.M.

Karen Higashl
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities Commission, State of Hawaii
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
PACIFIC EXPLORER, LLC ) Docket No. 2007-0302
) Order No. 24150
For a Motor Carrier Certificate or )
Permit. )

ORDER

By this Order, the commission vacates Decision and Order No. 23859 and closes this docket.

I.

Application for Common Carrier Authority

On November 29, 2007, in Decision and Order No. 23859, the commission approved the application of PACIFIC EXPLORER, LLC ("Applicant") for a certificate of public convenience and necessity to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the 1-to-7 passenger classification. We also: (1) ordered Applicant, as a condition to our approval of the application, to comply with all commission requirements for common carriers, including submitting certain documents within one hundred and twenty (120) days of the issuance of the decision and order; and (2) notified Applicant that failure to timely comply with the commission's requirements would constitute cause for the commission to vacate the Decision and Order.
We served Applicant with a copy of the Decision and Order by mail, postage prepaid, on the same day that the Decision and Order was issued, in accordance with Hawaii Administrative Rules §§ 6-61-21 and 6-61-122. Additionally, we sent a letter to Applicant, dated November 29, 2007, which reiterated the commission's requirements and specified March 29, 2008, as the deadline for compliance.

II.

Findings and Conclusions

The one hundred and twenty (120)-day time period has passed, and Applicant has not complied with the requirements set forth in Decision and Order No. 23859. The commission, thus, determines that Decision and Order No. 23859 should be vacated.

III.

Order

THE COMMISSION ORDERS:

Decision and Order No. 23859 is vacated and this docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii  APR 14 2008

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By   Carlito P. Caliboso, Chairman

By   John E. Cole, Commissioner

By   Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Commission Counsel

2007-0302 laa
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 24150 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

PACIFIC EXPLORER, LLC
c/o THOMAS HALL
15-2799 S. Ina Street
Pahoa, HI 96778

DATED: APR 14 2008

Karen Higashi